

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO on the)	
relation of State Engineer,)	
)	
Plaintiff,)	
)	69cv07941- JEC-ACE
-v-)	
)	RIO CHAMA STREAM SYSTEM
RAMON ARAGON et al.,)	
)	Rio Gallina, Section 5
Defendants.)	
_____)	

ORDER GRANTING MOTION IN LIMINE

THIS MATTER is before the Special Master on the Motion in Limine filed by the State of New Mexico, *ex rel.* State Engineer (“State”) November 21, 2003 (Docket No. 6942).

The State requests that in hearings in disputed subfiles CHGA-004-0003 and CHGA-004-0004, the Court prohibit the introduction of the hearsay statements appearing in the expert witness report of William W. Dunmire except for the purpose of showing the basis for Mr. Dunmire’s opinions, and not for the truth of matters asserted in those statements.

Having considered the Motion and Mr. Newville’s and Ms. Humphrey’s comments at the January 3, 2003, final pretrial conference, and being otherwise fully advised in the premises, I find that the Motion is well-taken and should be GRANTED.

IT IS THEREFORE ORDERED that the hearsay statements in question may be introduced through Mr. Dunmire only for the limited purpose of showing the basis for Mr. Dunmire’s opinions, and not for the truth of matters asserted in those statements.

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SPECIAL MASTER VICKIE L. GABIN